

## **RESOLUTION NO. 2011-205**

Adopted by the Sacramento City Council

April 12, 2011

### **AUTHORIZATION TO SUBMIT SOLID WASTE DISPOSAL AND CO-DISPOSAL SITE CLEANUP GRANT APPLICATION TO CALRECYCLE**

#### **BACKGROUND**

- A. The City of Sacramento is named co-responsible party for clean up and abatement of the Dellar Landfill in a corrective action letter from the Central Valley Regional Water Quality Control Board.
- B. The City of Sacramento disposed of waste in the Dellar Landfill from 1957 to 1963 pursuant to an agreement between the City and the former property owner prior to the Dellar Trust.
- C. City of Sacramento, Department of Utilities and the Dellar Trust have submitted a joint proposal to the Central Valley Regional Water Quality Control Board (RWQCB) for the cleanup of the property and is waiting for the response from the RWQCB before proceeding with final engineering design to grade the property to drain.
- D. The estimated total cost to close the landfill by grading it to drain is approximately \$2.8 million.
- E. The City may be eligible for funding under the Solid Waste Disposal and CoDisposal Site Cleanup Program administered by the California Department of Resources Recycling and Recovery (CALRECYCLE) that provides financial assistance in the form of reimbursement grants up to \$750,000 in matching funds for eligible costs to assist public entities requiring financial assistance, and committed to accelerating the pace of cleanup, restoring sites, and protecting the public health and safety and the environment.

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#### **BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

- Section 1     The City Manager or his/her designee is authorized to submit applications to the California Department of Resources Recycling and Recovery (CALRECYCLE) Solid Waste Disposal and Co-Disposal Site Cleanup Program grant in an amount not to exceed \$750,000.
- Section 2     The City Manager or his/her designee is authorized to execute all agreements necessary to accept and appropriate the grant funds from CalRecycle contingent upon receipt of grant award.
- Section 3     The City Manager or his/her designee is authorized to establish related grant

RESOLUTION NO.2011-205

RESOLUTION OF THE SACRAMENTO CITY COUNCIL APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE SOLID WASTE CLEANUP PROGRAM for the following project:

Dellar Landfill Closure

WHEREAS, the people of the State of California have enacted Assembly Bill 2136 (Eastin, Stats. 1993, Ch. 655) that authorizes the Department of Resources Recycling and Recovery (CalRecycle) to initiate and administer a program for cleanup of solid waste disposal sites and for cleanup of solid waste at co disposal sites where the responsible party either cannot be identified or is unable or unwilling to pay for timely remediation, and where cleanup is needed to protect public health and safety or the environment; and

WHEREAS, said procedures established by CalRecycle require the applicant to certify by resolution the approval of the submittal of the application before submission to the State of California; and

WHEREAS, the applicant will enter into an agreement with the State of California for the site cleanup;

NOW, THEREFORE, BE IT RESOLVED that the CITY OF SACRAMENTO CITY COUNCIL HEREBY:

1. Approves the filing of an application for the cleanup of solid waste using funds from the Solid Waste Cleanup Program for the project specified above; and
2. Certifies that said applicant has or will have matching funds for the project, plus funds to pay for all ineligible work and eligible work in excess of the grant awarded; and
3. Certifies that said applicant has or will have sufficient funds to operate and maintain the project; and
4. Appoints the City Manager or his/her designee, as agent of the City of Sacramento City Council to conduct all negotiations, execute and submit all documents including, but not limited to applications, grant agreements, amendments, payment requests and so on, which may be necessary for the completion of the aforementioned project.